

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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:  
**UNITED STATES OF AMERICA** :  
:  
- v. - :  
:  
**BORIS LISYANSKY,** :  
:  
:  
**Defendants.** :  
:  
:  
----- X

**S2 11 Cr. 986 (GBD)**

**GOVERNMENT’S SUPPLEMENTAL REQUESTS TO CHARGE**

**PREET BHARARA**  
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- Of Counsel -

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	:	
<b>Defendants.</b>	:	
	:	
-----	<b>X</b>	

**GOVERNMENT'S SUPPLEMENTAL REQUESTS TO CHARGE**

Pursuant to Rule 30 of the Federal Rules of Criminal Procedure, the Government respectfully requests the Court to include the following in its charge to the jury in the trial of defendant Boris Lisyansky.

**SUPPLEMENTAL GOVERNMENT REQUEST NO. 1**

**Charging Decisions of the State**

*(If necessary, depending on closing arguments)*

You have heard testimony during the trial that a witness who is alleged to have participated in the shooting at issue in this case was charged with certain state offenses. I instruct you that a charging decision made by a state prosecutor's office is of no relevance to any of the issues in the case and does not make it more or less likely that the defendant is guilty or not guilty of the crimes charged in this case.

**SUPPLEMENTAL GOVERNMENT REQUEST NO. 2**

**References to Prior Testimony in This Case**

You have heard reference from one or more of the lawyers to prior testimony given by a witness in this case. I advise you that the lawyers were referring to prior testimony given by a witness in the prosecution of Jayson Vasquez-Soto, not Boris Lisiansky, the defendant.

Dated: New York, New York  
April 28, 2013

Respectfully submitted,

PREET BHARARA  
United States Attorney for the  
Southern District of New York

By: \_\_\_\_\_/s/\_\_\_\_\_  
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